IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 27TH JUNE 2007 / 6TH ASHADHA 1929

WP(C).No. 9201 of 2007(U)

OPMV.452/2004 of MOTOR ACCIDENT CLAIMS TRIBUNAL, TRIVANDRUM

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PETITIONER:

MR.VISWAKUMAR, AGED 55 YEARS,
S/O.BHASKARAN, AISHWARYA FAST FOOD,
THAMPURAN NADA, KUZHIVILA, KARIMANAL P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.P.V.ANIL
SRI.VINU V.GOPAL

RESPONDENTS:

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1. MR.THOMAS, LATE JOSEPH FERNANDEZ,
T.C 1/316, MICHAEL LANE, HOUSE NO.117,
PALLITHURA COLONY, PALLITHURA P.O,
THIRUVANANTHAPURAM.

2. THE DEPUTY TAHSILDAR,
REVENUE RECOVERY,
THIRUVANANTHAPURAM.

BY ADV. SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN
SRI.A.S.SABU
GOVERNMENT PLEADER SMT. ANU SIVARAMAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: TRUE COPY OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT-1, THIRUVANANTHAPURAM.

EXT.P2: TRUE COPY OF THE APPLICATION FOR COMPENSATION AS O.P.(MV) NO.452/04 ON THE FILE OF THE HON'BLE MOTOR ACCIDENT CLAIMS TRIBUNAL.

EXT.P3: TRUE COPY OF THE INTERIM AWARD DATED 26.10.2004 IN O.P.(MV)NO.452/04.

EXT.P4: TRUE COPY OF THE COMMUNICATION SENT TO THE PETITIONER DATED 29.04.06.

EXT.P5: TRUE COPY OF THE ADVANCE PETITION FILED BY THE PETITIONER.

EXT.P6: TRUE COPY OF THE PETITION PRAYING FOR REVIEWING EXHIBIT P5.

EXT.P7: TRUE COPY OF THE BOOK PARTICULARS OF KL 01/7725 ISSUED BY THE MOTOR VEHICLE INSPECTOR.

/TRUE COPT/

PA TO JUDGE.

S. SIRI JAGAN, J.

W.P.(C)NO.9201 OF 2007

DATED THIS THE 27th DAY OF JUNE, 2007

JUDGMENT

The petitioner challenges Ext.P3 interim award of Motor Accidents Claims Tribunal, Thiruvananthapuram. Since the petitioner has a right to file an appeal under the Motor Vehicles Act against Ext.P3 interim award, I am not inclined to entertain this writ petition.

Accordingly, the writ petition is dismissed.

S. SIRI JAGAN, JUDGE

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